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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,902	07/17/2003	David Yu Chang	AUS920030082US1	2139
29125	7590	01/24/2006	EXAMINER	
IBM CORP (JRB) C/O LAW OFFICE OF JOSEPH R BURWELL P O BOX 28022 AUSTIN, TX 78755-8022			CAO, PHUONG THAO	
			ART UNIT	PAPER NUMBER
			2164	

DATE MAILED: 01/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/621,902

Applicant(s)

CHANG ET AL.

Examiner

Phuong-Thao Cao

Art Unit

2164

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 07/17/2003.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response to Application filed on 07/17/2003.
2. Claims 1-24 are pending.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 17-24 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Regarding claim 17, the “computer-readable medium” is not limited to tangible media in accordance with Applicant’s specification, which states that it may be digital or analog communication link, not in and of itself a tangible medium.

Claims 18-24 are rejected as incorporating the deficiencies of claim 17 upon which they depend.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 7, 15 and 23 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 7 recites the limitation “previously bound data object” in lines 2-3. There is insufficient antecedent basis for this limitation in the claim. It is believed that this claim depends on claim 5 and treated as such in this action. However, appropriate correction is required.

Claim 15 recites the limitation “previously bound data object” in line 3. There is insufficient antecedent basis for this limitation in the claim. It is believed that this claim depends on claim 13 and treated as such in this action. However, appropriate correction is required.

Claim 23 recites the limitation “previously bound data object” in lines 2-3. There is insufficient antecedent basis for this limitation in the claim. It is believed that this claim depends on claim 21 and treated as such in this action. However, appropriate correction is required.

Double Patenting

7. Claims 1-3, and 5-7 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-3 and 5 of copending Application No. 10/621,885. Although the conflicting claims are not identical, they are not patentably distinct from each other because the claims are broader than claims 1-3 and 5 of copending Application which encompass the same metes, bounds, and limitations.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

8. Claims 9-11, and 13-15 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 17-19 and 21 of copending Application No. 10/621,885. Although the conflicting claims are not identical, they are not patentably distinct from each other because the claims are broader than 17-19 and 21 of copending Application which encompass the same metes, bounds, and limitations.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

9. Claims 17-19, and 21-23 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 9-11 and 13 of copending Application No. 10/621,885. Although the conflicting claims are not identical, they are not

patentably distinct from each other because the claims are broader than claims 9-11 and 13 of copending Application which encompass the same metes, bounds, and limitations.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

10. Claims 4, 12, and 20 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 1, 9 and 17 of copending Application No. 10/621,885 in view of Blizniak et al. (Publication NO US 2003/0220993).

Claimed invention of copending Application No. 10/621,885 does not teach “wherein a deployment attribute is selected from the group comprising: a deployment identifier, wherein deployment identifier is a unique identifier associated with the deployment operation, wherein the deployment identifier is unique over all deployment operations within the data processing system or is unique over all deployment operation for all instances of the application within the data processing system; a version identifier or an edition identifier associated with a version of the application; or some other identifier for a deployment-associated characteristic or metric”.

Blizniak et al. teach “wherein a deployment attribute is selected from the group comprising: a deployment identifier...”(see Blizniak et al., [0024] and [0026]).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified claimed invention of copending Application No. 10/621,885 by the teaching of Blizniak et al., since using deployment identifier or other identifier enables effectively managing deployment operations in the data processing system.

This is a provisional obviousness-type double patenting rejection.

11. Claims 8, 16, and 24 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 1, 9 and 17 of copending Application No. 10/621,885 in view of Cocks et al. (US Patent No 6,745,250).

Claimed invention of copending Application No. 10/621,885 does not teach “wherein an application comprises a plurality of application modules, wherein each module is associated with a module name, and wherein each module is associated with an application-based name based on its module name”.

Cocks et al. teach “wherein an application comprises a plurality of application modules, wherein each module is associated with a module name...” (see Cocks et al., [column 7, lines 45-55] and [column 8, lines 50-60] wherein EJBHomes are equivalent to Applicant’s “application modules”).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified claimed invention of copending Application No. 10/621,885 by the teaching of Cocks et al., since associating each module with an application-based name based on its module name provides more effective way to manage different modules of an application in a data processing system.

This is a provisional obviousness-type double patenting rejection.

Claim Rejections - 35 USC § 102

12. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

13. Claims 1-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Cocks et al. (US Patent No 6,745,250).

The applied reference has a common assignee and a common inventor with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention “by another,” or by an appropriate showing under 37 CFR 1.131.

As to claim 1, Cocks et al. teach:

“A method for processing names by a naming service within a data processing system” (see [column 6, lines 35-50]), the method comprising:

“obtaining an application name that is associated with an application” (see [column 6, lines 60-67] wherein “EJBApp1” in the compound name “com/ibm/EJBApp1/myEJB” is equivalent to Applicant’s “application name”, and this application name must be obtained in order to created the name as disclosed);

“obtaining a deployment name that is associated with a deployment attribute that characterizes a development of an instance of the application” (see [column 6, lines 60-67] wherein “myEJB” in the compound name “com/ibm/EJBApp1/myEJB” is equivalent to Applicant’s “deployment name”, and this deployment name must be obtained in order to create the name as disclosed);

“generating an application-based name for the instance of the application, wherein the application-based name represents a context within a naming system and wherein the application-based name is a compound name that comprises the application name and the deployment name” (see [column 6, lines 60-67] wherein “com/ibm/EJBApp1/myEJB” is equivalent to Applicant’s “application-based name”, wherein “EJBApp1” is equivalent to Applicant’s “application name” and “myEJB” is equivalent to Applicant’s “deployment name”).

As to claim 9, Cocks et al. teach:

“An apparatus for processing names by a naming service within a data processing system” (see [column 4, lines 63-67] and [column 6, lines 35-50]), the apparatus comprising:

“means for obtaining an application name that is associated with an application” (see [column 6, lines 60-67] wherein “EJBApp1” in the compound name

“com/ibm/EJBApp1/myEJB” is equivalent to Applicant’s “application name”, and this application name must be obtained in order to created the name as disclosed);

“means for obtaining a deployment name that is associated with a deployment attribute that characterizes a development of an instance of the application” (see [column 6, lines 60-67] wherein “myEJB” in the compound name “com/ibm/EJBApp1/myEJB” is equivalent to Applicant’s “deployment name”, and this deployment name must be obtained in order to create the name as disclosed);

“means for generating an application-based name for the instance of the application, wherein the application-based name represents a context within a naming system and wherein the application-based name is a compound name that comprises the application name and the deployment name” (see [column 6, lines 60-67] wherein “com/ibm/EJBApp1/myEJB” is equivalent to Applicant’s “application-based name”, wherein “EJBApp1” is equivalent to Applicant’s “application name” and “myEJB” is equivalent to Applicant’s “deployment name”).

As to claim 17, Cocks et al. teach:

“A computer program product in a computer-readable medium for use in a data processing system for processing names by a naming service” (see [column 6, lines 35-50]), the computer program product comprising:

“means for obtaining an application name that is associated with an application” (see [column 6, lines 60-67] wherein “EJBApp1” in the compound name “com/ibm/EJBApp1/myEJB” is equivalent to Applicant’s “application name”, and this application name must be obtained in order to created the name as disclosed);

“means for obtaining a deployment name that is associated with a deployment attribute that characterizes a development of an instance of the application” (see [column 6, lines 60-67] wherein “myEJB” in the compound name “com/ibm/EJBApp1/myEJB” is equivalent to Applicant’s “deployment name”, and this deployment name must be obtained in order to create the name as disclosed);

“means for generating an application-based name for the instance of the application, wherein the application-based name represents a context within a naming system and wherein the application-based name is a compound name that comprises the application name and the deployment name” (see [column 6, lines 60-67] wherein “com/ibm/EJBApp1/myEJB” is equivalent to Applicant’s “application-based name”, wherein “EJBApp1” is equivalent to Applicant’s “application name” and “myEJB” is equivalent to Applicant’s “deployment name”).

As to claims 2, 10 and 18, these claims are rejected based on arguments given above for rejected claims 1, 9 and 17, respectively, and are similarly rejected including the following:

Cocks et al. teach:

“wherein a deployment attribute is a metadata value that characterizes a manner in which the instance of the application is deployed within the data processing system” (see [column 6, lines 5-50], [column 5, lines 40-65] and [column 8, lines 24-58] wherein “parameter value” is equivalent to Applicant’s “metadata value” and the disclosure of using parameter values to locate objects in the distributed object-oriented environment wherein objects are equivalent to Applicant’s “instances of the application”, implies that parameter values characterize how objects are deployed within the system, as illustrated in Applicant’s claim language).

As to claims 3, 11 and 19, these claims are rejected based on arguments given above for rejected claims 1, 9 and 17, respectively, and are similarly rejected including the following:

Cocks et al. teach:

“wherein the application-based name comprises the application name and multiple deployment names associated with multiple deployment attributes” (see [column 6, lines 60-67], [column 7, lines 45-53] and [column 8, lines 50-58] wherein “com/ibm/EJBApp1/myEJB” or “customized Application Contexts” is equivalent to Applicant’s “application-based name”, and the disclosure of subcontexts and multiple deployments of an application implies the existence of multiple deployment name associated with multiple deployment attributes as well as application-based name as illustrated in Applicant’s claim language).

As to claim 4, 12 and 20, these claims are rejected based on arguments given above for rejected claims 1, 9 and 17, respectively, and are similarly rejected including the following:

Cocks et al. teach:

“wherein a deployment attribute is selected from a group comprising: a deployment identifier, wherein a deployment identifier is a unique identifier associated with the deployment operation, wherein the deployment identifier is unique over all deployment operations within the data processing system or is unique over all deployment operations for all instances of the application within the data processing system; a version identifier or an edition identifier associated with a version of the application; or some other identifier for a deployment-associated characteristic or metric” (see [column 6, lines 60-67], [column 7, lines 1-35], and [column 7,

lines 60-65] wherein “myEJB” or “simple name” is equivalent to Applicant’s “deployment attribute” and the disclosure of using simple name as a input parameter to find the object in the distributed object-oriented environment wherein “object” is equivalent to Applicant’s “instance of application” implies simple name must be a unique identifier in that environment, as illustrated in Applicant’s claim language).

As to claim 5, 13 and 21, these claims are rejected based on arguments given above for rejected claims 1, 9 and 17, respectively, and are similarly rejected including the following:

Cocks et al. teach:

“binding the application-based name to a data object” (see [column 6, lines 35-67] wherein compound name such as “com/ibm/EJBApp1/myEJB” is equivalent to Applicant’s “application-based name” and the disclosure of NamingContext capable of processing resold operations to lookup objects in the name space implies that it must exist a binding between a name to a data object as illustrated in Applicant’s claim language; also see [column 2, lines 40-50]).

As to claim 6, 14 and 22, these claims are rejected based on arguments given above for rejected claims 5, 13 and 21, respectively, and are similarly rejected including the following:

Cocks et al. teach:

“relating the data object to a context for an application server” (see [column 6, lines 35-60] and [column 7, lines 25-45] wherein the disclosure of many applications in the system implies the system is an application server and the name space as disclosed is equivalent to

Applicant's "a context for an application server"; and the disclosure of locating objects in the name space implies relating the object to a context for an application server as illustrated in Applicant's claim language).

As to claim 7, 15 and 23, these claims are rejected based on arguments given above for rejected claims 1, 9 and 17, respectively, and are similarly rejected including the following:

Cocks et al. teach:

"resolving the application-based name to a previously bound data object" (see [column 6, lines 35-67] wherein compound name as disclosed is equivalent to Applicant's "application-based name" and the disclosure of "processing resolve operations to lookup objects in the name space" is equivalent to Applicant's claim language).

As to claim 8, 16 and 24, these claims are rejected based on arguments given above for rejected claims 1, 9 and 17, respectively, and are similarly rejected including the following:

Cocks et al. teach:

"wherein an application comprises a plurality of application modules, wherein each module is associated with a module name, and wherein each module is associated with an application-based name based on its module name" (see [column 7, lines 45-55], [column 8, lines 50-60] wherein EJBHomes are equivalent to Applicant's "application modules").

14. The prior art made of record and not replied upon is considered pertinent to Applicant's disclosure.

Lee et al. (US Patent No 5,745, 683) teach an improved Federated Naming Framework System which includes a Federated Naming Service Provider Interface for four kinds of Name Services (Atomic Name, Compound Name, Partial Composite Name and Composite Name).

Narayanaswamy et al. (Publication No US 2004/0177358) teach a system and method for assembling and deploying program units to application server using single transparent deployment flow architecture.

Vasudevan (US Patent No 5,377,323) teaches an apparatus and method for a federated Naming System which can resolve composite names comprised of names from an arbitrary number of disparate Naming Systems in a distributed computing environment.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuong-Thao Cao whose telephone number is (571) 272-2735. The examiner can normally be reached on 8:30 AM - 5:00 PM (Mon - Fri).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571) 272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PTC

January 20, 2006


Primary Examiner
Art Unit 2167